

REMARKS/ARGUMENTS

With this Amendment, Applicant adds new claims 46-57. No new matter is added. Therefore, claims 15-57 are all the claims currently pending in the application. Based on the following remarks, Applicant requests reconsideration of the application and allowance of the claims.

I. Rejection of Claims 15, 29, 39, 40, 43 and 45 Under 35 U.S.C. § 103(a)

Claims 15, 29, 39, 40, 43 and 45 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over Deluca et al. (International Publication No. WO 97/19429; hereinafter "Deluca") in view of Mochizuki (U.S. Patent No. 6,044,248; hereinafter "Mochizuki") and further in view of Miller (U.S. Patent 6,421,707; hereinafter "Miller").

Claim 15 requires, a method for handling messages transmitted between communication terminals via a wireless network comprising, "generating a compound message including a text part *and at least one graphical icon part*, the compound message generation including reading a user inputted text part and converting the inputted text part into a predefined message text format, *adding a graphical part to the message*, the graphical part *including a record* for each of *the at least one graphical icon part in a graphical format*." The method further comprises, "adding position information in the message defining a position of the at least one graphical icon part in the text part; and *transmitting of the message* via the wireless network." Applicant respectfully submits that the combination of Deluca, Mochizuki and Miller are deficient and does not teach or suggest at least the above requirements of claim 15 for at least the following reasons.

In the Amendment filed July 5, 2006, it was pointed out that Deluca, in contrast to claim 15, merely discloses a system in which messages are composed and transmitted to a receiving device 100 in which a numerical code is utilized to identify an icon (prestored by the receiving device), with the code being selected by the composer of the message at a transmitting device (See, e.g., terminal 305 of FIG. 11 of Deluca). Upon receipt, the receiving device uses the numerical code to identify and retrieve the graphical icon from a memory of the receiving device, thereby eliminating a need to transmit any information to the receiving device beyond the numerical code to cause the display of the encoded icon in association with a text message. In the Amendment filed July 5, 2006, it was

further submitted that Deluca does not teach or suggest that the transmitted message contains a graphical part, but rather discloses that the transmitted message contains only text (including the numerical code).

The cited portion (i.e., page 5, lines 13-14) of Deluca, at best, describes a message containing only text, “for example, alphanumeric characters.” (emphasis added) To be precise, page 5, lines 13-14 of Deluca discusses that the “[r]eception of a display command for a message comprising the characters of “#07TOM?” or “TOM?#07” results in the subsequent presentation of the image associated with the code “#07” at the display 130. (emphasis added) This is because the receiver 100 recognizes the alphanumeric code “#07” in the message and retrieves corresponding image data, i.e., coffee mug (based on the code), which is previously stored in a graphics database of the receiver 100. (See page 2, lines 6-8 and FIG. 2 of Deluca).

In view of the foregoing, it was pointed out in the Amendment filed July 5, 2006 that Deluca merely discloses that the graphical part corresponding to the transmitted numerical code is retrieved from a memory (i.e., graphics database) and displayed after the message is received at the receiving device 100. (See page 6, line 31 – page 7, line 3 of Deluca) Deluca discloses only messages that include either (1) a numerical code (See page 5, lines 3-12); (2) a numerical code and any desired additional text to be displayed at the receiving device (See page 5, lines 13-26); or (3) a numerical code and any desired additional numerals to be displayed at the receiving device (See page 5, line 27 – page 6, line 9). Deluca discloses that the numerical code uses, for example, “predetermined characters commonly found on conventional telephone receivers.” (See page 3, lines 30-31 of Deluca) (emphasis added) Such characters would typically include the numerals “0-9” and the symbols “#” and “*.” A person skilled in the art to which Deluca and the present application pertain would clearly understand that “text” generally includes letters, numerals, and symbols (e.g., “#” and “*”). As such, a person skilled in the art would consider the messages taught by Deluca to include only text. As previously pointed out in the Amendment filed July 6, 2006, the Examiner states in the Office Action that “#07” (an example numerical code from Deluca) is text. In view of the foregoing, the messages taught by Deluca include only text and do not include a graphical icon part, and the recitation in claim 15 that the message transmitted via the wireless network contains both a text part and a graphical icon part is not taught or suggested by Deluca. As such, it was pointed out that Deluca (either alone or in combination) does not teach or suggest generating a compound

message including a text part and at least one graphical icon part, as suggested by the Examiner. The Examiner has not responded to Applicant's arguments set forth above and specifically at pages 8-10 of the Amendment filed July 5, 2005. MPEP § 707.07(f) requires that "[w]here the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it." Contrary to the directive set forth in MPEP § 707.07(f), the Examiner merely repeats verbatim the same grounds of rejection suggestion that Deluca teaches generating a compound message including a text part and at least one graphical icon part. (See pg. 2 of the Office Action dated January 4, 2006 and the pg. 2 of the Office Action dated September 21, 2007) As such, the above-mentioned arguments remain rebutted, and claim 15 is patentable at least for those reasons submitted above and previously of record.

In the Amendment filed July 4, 2007, Applicant pointed out that the Examiner correctly conceded that Deluca does not teach or suggest the requirement for adding a graphical part to the message, the graphical part including a record for each of the at least one graphical icon part in a graphical format, and adding position information in the message defining a position of the at least one graphical icon part in the text part, as required by claim 15. However, the Examiner continues to rely on Mochizuki to make up for the deficient teachings of Deluca. (See page 3 of the Office Action) Applicant respectfully disagrees.

As noted above and in the Amendment filed July 5, 2006, Deluca does not teach or suggest at least generating a compound message including a text part and at least one graphical icon part. Mochizuki does not make up for the deficient teachings of Deluca. Similar to Deluca, Mochizuki discloses a call receiver capable of receiving a transmitted message that includes a "graphic image code." The graphic image code is a numeric code corresponding to a predefined illustration residing in the receiving device. The graphic image code is a numeric code corresponding to a predefined illustration residing in the receiving device. To be precise, Mochizuki, at best discloses a receiver, which includes a code memory storing graphic image units and graphic image unit codes. Mochizuki discusses that code information is extracted from a message. The code information includes a graphic image unit code and a character data code. "Based on the code information, a graphic image unit corresponding to the graphic image unit code and a piece of character data ... are read from the code memory" (i.e., graphic image code

memory 108; See FIGS. 4A and 4B of Mochizuki) “and then the message with the graphic image unit and the piece of character data is displayed on [a] display.” (See Abstract of Mochizuki; See Col. 2, lines 1-10 of Mochizuki) (emphasis added).

In the Amendment filed July 5, 2007 it was pointed out that FIGS. 4A and 4B of Mochizuki show the graphic image codes disclosed therein are alphanumeric codes. Nowhere in Mochizuki is there any teaching or suggestion that the graphic image codes are graphic images or graphic image parts. For instance, column 6, lines 57-67 of Mochizuki describes that the control processor 104 asks the user whether to input a desired graphic image code in the transmission message. (See e.g., FIG. 6A in which the user inputs the alphanumeric graphic image code “02” in the transmission code) Such user’s operation causes the control processor to store the selected graphic image code (GIC) (e.g., “01,” “02,” “03,” “04,” “05,” “06,” “07,” and “08”; See FIGS. 4A and 4B) in the transmission message. It was submitted that in view of the foregoing disclosure, Mochizuki fails to teach or suggest that the transmission message disclosed therein generates a compound message *including a text part and at least one graphical icon part*. Therefore, Mochizuki also fails to teach and is incapable of suggesting adding a graphical part *to the message*, the graphical part including a record for each of the at least one graphical icon part *in a graphical format*, and adding position information in the message defining a position of the at least one graphical icon part *in the text part*, as required by claim 15. Contrary to the directive set forth in MPEP § 707.07(f) the Examiner has not responded to the arguments set forth above and specifically at pages 10-11 of the Amendment filed July 5, 2005. Instead, the Examiner merely repeats verbatim the same grounds for rejecting claim 15 on the basis that the “Mochizuki teaches adding [a] graphical part to the message, the graphical part including a record of each of the at least one graphical icon parting in a graphical format.” (See pg. 3 of the Office Action dated September 21, 2006 and pg. 3 of the Office Action dated January 4, 2006). Accordingly, claim 15 is patentable at least for the reasons set forth above and those previously of record.

The Examiner correctly concedes that “[b]oth Deluca and Mochizuki ... fail to teach [that the] graphical icon part is in a graphical format.” (See pg. 3 of the Office Action). However, the Examiner relies on Miller to make up for the deficiencies of Deluca and Mochizuki. Applicant

respectfully disagrees and submits that the combination of Deluca, Mochizuki and Miller do not teach the all of the features of claim 15.

Miller, in contrast to claim 15, merely discloses a wireless multimedia communications method and apparatus that permits a subscriber of a personal communications device 411 to receive and generate multimedia messages from known wireless communications devices such as cellular telephones. According to Miller, a multimedia message may be received by a network and delivered to a subscriber of the wireless service. The subscriber is subsequently notified by the network of the message and then delivers the message and any multimedia attachments of the message to the device 411 of the subscriber. (Col. 1, lines 48-62) Alternatively, the device 411 may generate a multimedia message to be sent to another device 411 of a subscriber. Miller, at best, discloses that the multimedia attachments may consist of text, speech, fax, image, [and] video" data. (Col. 1, lines 34-36) More particularly, Miller describes that the multimedia messages disclosed therein may be a plain text file 404, a common graphics file 405 (e.g., "Power-Point") and sound file 406 in .wav format. (Col. 4, lines 29-35)

In rejecting claim 15, the Examiner suggests that column 1, lines 31-35 and 38-70 of Miller (in combination with Deluca and Mochizuki) discloses transmitting messages that includes a graphical image and that it would have been obvious at the time of the invention to include Miller's teachings with the methods of Deluca and Mochizuki in order to allow users to transfer image files. (See *id.*) Applicant respectfully disagrees and submits that even assuming *arguendo* that Miller discloses transmitting messages which include graphical images, the combination still does not teach or suggest all of the features of claim 15. For instance, Applicant points out that column 4, lines 26-35 of Miller describes that when a subscriber (e.g., Radhika) sends an e-mail with multimedia attachments to another subscriber (e.g., Thomas) the "attachments 404, 405 and 406 [are] in the upper panel" of an internet browser screen and are not within the text of the message "shown in the scrollable text window 403." (See FIG. 4(b) of Miller). Similarly, as can be seen in FIGS. 4(h) and 4(i) of Miller, the text message received from a subscriber, such as Radhika, at device 411 is separate and distinct from the graphics file attachment 406 such as the Power-Point attachment. (Col. 5, lines 24-40) To be precise, FIG. 4(i) clearly shows that the graphics file attachment 405 (i.e., "4:PowerPoint (64K)")

is not within the text message 404 shown in FIG 4(h) (i.e., "Hello Thomas, I am enclosing a copy of a recent luc"). In view of the disclosure above, Miller (either alone or in combination with Deluca and Mochizuki) does not teach or suggest at least one graphical *icon part* that is in a *graphical format in the text part*, as claimed. To the extent the Examiner is suggesting that the multimedia attachment corresponds to a graphical icon part, there still is no multimedia attachment in a graphical format in the text part of a message in the combination of Deluca, Mochizuki and Miller, as required by claim 15. In fact, neither Deluca, Mochizuki nor Miller either alone or in combination teaches "generating a ... message including a text part and at least one graphical icon part, ... *in a graphical format ... in the text part*," as claimed. As such, Applicant submits that the combination of Deluca, Mochizuki and Miller are deficient and does not teach or suggest all of the features of claim 15.

Applicant also submits that there simply is no expressed or implied teaching or suggestion in the references that Deluca, Mochizuki and Miller be combined in the manner suggested by the Examiner. (See MPEP § 2143.01 explaining that "[o]bviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so ... found either explicitly or implicitly in the references themselves")

Miller, at best, touts that an important aspect of the service disclosed therein is the ability of a receiving party to customize message receipt through the use of a user-specific agent and the ability for a user to define a set of rules that determine how messages are to be treated. (Col. 4, lines 40-42, 48-51) Nowhere in the references themselves (or in the knowledge generally available to one of ordinary skill in the art) is there any expressed or implied teaching or suggestion of a compound message including a text part and a graphical icon part in a graphical format in the text part. The only possible motivation for the Examiner's proposed modification comes from the Applicant's own disclosure (See pg. 3, lines 19-23 & pg. 9, lines 9-13 of the specification) which constitutes impermissible hindsight reconstruction according to *In re Vaeck*, 20 USPQ2d 1438, 1442 (Fed. Cir. 1991).

Based on at least the foregoing, the combination does not teach or suggest all of

the features of claim 15, Applicant therefore respectfully requests the Examiner to reconsider and withdraw the § 103(a) rejection of claim 15 and its dependent claim 40.

Since claims 29 and 39 contain features that are analogous to, though not necessarily coextensive with claim 15, Applicant respectfully requests the Examiner to reconsider and withdraw the § 103(a) rejection of claims 29 and 39 and their respective dependent claims 43 and 45 for reasons analogous to those submitted from independent claim 15.

II. Rejection of Claims 16, 19-25, 30, 33-38, 41, 42 and 44 Under 35 U.S.C. § 103(a)

Claims 16, 19-25, 30, 33, 38, 41, 42 and 44 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over Sugio et al. (U.S. Patent No. 6,032,025; hereinafter, "Sugio") in view of Mochizuki and further in view of Miller (U.S. Patent 6,421,707; hereinafter "Miller").

Claim 16 requires a communication terminal for handling messages comprising, *inter alia*, a user interface through which the user operates the terminal, the user interface including a display message editor application allowing the user to generate a compound message *including a text part and at least one graphical icon part*; and wherein the controller generates the compound message for being transmitted via the transceiver *including a text part* in a predefined message text character format, *a graphical part including* a record for each of the at least one *graphical icon part in a graphical format*, and information in the message defining a position of the *at least one graphical icon part in the text part*. In rejecting claim 16, the Examiner alleges that the combination of Sugio, Mochizuki and Miller teaches all of the features of claim 16. Applicant respectfully disagrees.

As pointed out in the Amendment filed July 5, 2006, in contrast to claim 16, Sugio, at best, discloses the display of a message, including a portrait image, on a receiving device (e.g., pager 4). Like Deluca and Mochizuki, the portrait image that is ultimately displayed on the receiving device of Sugio is not contained in the message that is transmitted to the receiving device. Rather, the transmitted message contains an alphanumeric "image designating code," (e.g., "portrait codes" "21" to "36" (See FIG. 4 of Sugio)) which is analogous to the numerical code of Deluca and Mochizuki. This image designating code of Sugio causes the pager 4 to retrieve from memory (e.g. portrait table stored in ROM 19) and display a portrait image

corresponding to the transmitted and received image designating code. (See Abstract; Col. 2, lines 30-56 of Sugio; Col. 6, lines 27-34 of Sugio). Sugio, at best, discloses that the message may include "characters, numerals, and symbols." (See Col. 2, lines 32-33 of Sugio). For instance, a message may contain the numerals and symbols "**5*528," which causes a predefined portrait (i.e., portrait 28) to be displayed on the pager 4 (See Col. 9, lines 24-34; FIG. 8 of Sugio).

Additionally, in the Amendment filed July 5, 2006, Applicant pointed out that FIGS. 36A-36E (among others) and the corresponding description, indicate that only the image designating code (illustrated in the transmission code display section 243 and containing only numerals and symbols), and not the actual image itself, is transmitted. (See Col. 24, lines 39-42; FIGS. 36A-36E of Sugio). Based on the foregoing, Applicant respectfully submitted that Sugio (either alone or in combination with Mochizuki and Miller) simply does not teach or suggest that the message disclosed therein includes a graphical part and as such, the combination of Sugio and Mochizuki fails to teach or suggest "a display message editor application allowing the user to generate a *compound message including a text part and at least one graphical icon part*," as required by claim 16. Given that Sugio does not teach or suggest a message containing a graphical icon part, but rather teaches that the message contains an image designating code, Sugio (either alone or in combination with Mochizuki and Miller) also fails to teach or suggest a "controller generates the compound message for being transmitted ... including a text part ... a graphical part including a record for each of the at least one graphical icon part in a graphical format," as required by claim 16.

In the current Office Action, the Examiner has not responded to the arguments set forth above and on pages 11, 12, and 13 of the Amendment filed July 5, 2006. MPEP § 707.07(f) requires that "[w]here the [A]pplicant traverses any rejection, the [E]xaminer should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it." In contrast to the requirements of MPEP § 707.07(f), the Examiner merely repeats verbatim the grounds of rejection in the Office Action dated January 4, 2006 with respect to Sugio teaching "a display message editor application allowing the user to generate a compound message including a text part and at least one graphical icon part," as required by claim 16. Accordingly, those

arguments remain rebutted, and claim 16 is patentable at least for those reasons previously of record.

In the current Office Action, the Examiner correctly concedes that, Sugio fails to teach or suggest the requirement for “information in the message defining a position of the at least one graphical icon part in the text part,” as recited by claim 16. (See pg. 5 of the Office Action) However, the Examiner again relies on Mochizuki to make up for the deficient teachings of Mochizuki. Applicant respectfully disagrees and submits that there is no suggestion or motivation to combine Sugio and Mochizuki (either alone or in combination with Miller).

As pointed out above and in the Amendment filed July 5, 2006, Sugio does not teach or suggest at least “a display message editor application allowing the user to generate a compound message *including a text part and at least one graphical icon part*; and the controller generates the compound message for being transmitted ... *including a text part ..., a graphical part* including a record for each of the at least one *graphical icon part in a graphical format*,” as required by claim 16 and Mochizuki does not make up for the deficient teachings of Sugio.

In the Amendment filed July 5, 2006 it was pointed out that similar to Sugio, Mochizuki discloses a call receiver capable of receiving a transmitted message that includes a “graphic image code.” As pointed out in the Amendment filed July 5, 2006, the graphic image code of Mochizuki is a numeric code (e.g., “01,” “02,” “03,” “04,” “05,” “06,” “07,” “08,” and “09”) corresponding to a predefined illustration residing in a graphic image code memory 108 of the call receiver. (See FIGS. 1, 4A & 4B of Mochizuki) Mochizuki, at best discloses a receiver, which includes a code memory storing graphic image units and graphic image unit codes. Mochizuki discusses that code information is extracted from a message. The code information “includes a graphic image unit code and a character data code which are included in the message.” “Based on the code information, a graphic image unit corresponding to the graphic image unit code and a piece of character data ... are read from the code memory” (i.e., graphic image code memory 108; See FIGS. 4A and 4B of Mochizuki) “and then the message with the graphic image unit and the piece of character data is displayed on [a] display. (Abstract of Mochizuki; Col. 2, lines 1-10 of Mochizuki) (emphasis added) In view of the foregoing, Mochizuki, at best, discloses that the graphic image codes disclosed therein are alphanumeric codes. Nowhere in Mochizuki (either alone or in combination with Sugio and Miller) is there

any teaching or suggestion that the graphic image codes are graphic images or graphical parts. Rather, the graphic image unit codes are merely alphanumeric codes included in the message which correspond to images prestored in a memory (e.g., graphic image code memory 108). As such, it was submitted that Mochizuki fails to teach or suggest at least “the user interface including a display message editor application allowing the user to generate a compound message including a text part *and at least one graphical icon part*,” as required by claim 16. In contrast to claim 16, it was submitted that Mochizuki discusses that the transmission message disclosed therein does not include the actual graphic image, but merely includes a corresponding graphic image code. The graphic image is subsequently extracted from a memory of a receiving device so that the graphic image can then be displayed. Therefore, Mochizuki also fails to teach and is incapable of suggesting “the controller generates the compound message *for being transmitted ... including a text part ..., a graphical part including a record for each of the at least one graphical icon part in a graphical format*, as required by claim 16. Given that the transmission message of Mochizuki does not include a graphical part, Mochizuki also fails to teach “information in the message defining a position of the at least one graphical icon part in the text part,” as required by claim 16. Contrary to the directive set forth in MPEP § 707.07(f), the Examiner has not responded to the arguments set forth above and specifically at pages 13-14 of the Amendment filed on July 5, 2007.

Rather, in asserting that the Mochizuki teaches “information in the message defining a position of the at least one graphical icon part in the text part” the Examiner merely repeats verbatim the grounds of rejection in the January 4, 2006 Office Action. As such, those arguments remain rebutted, and claim 16 is patentable at least for those reasons previously of record.

In rejecting claim 16, the Examiner correctly asserts that “Deluca and Mochizuki both fail to teach a graphical part including a record for each of the at least one graphical icon part in a graphical format” as required by claim 16. (See pg. 5 of the Office Action) Applicant points out that the Examiner did not cite to Deluca in rejecting claim 16 on page 4 of the Office Action, and as such the assertion that “[b]oth Deluca and Mochizuki both fail to teach a graphical” is interpreted to read “[b]oth [Sugio] and Mochizuki both fail to teach a graphical ...” However, the Examiner appears to rely on column 1, lines 31-70 of Miller to make up for the deficiencies

of Sugio and Mochizuki and asserts that Miller “teaches transmitting messages that include [a] graphical format.” (See *id.*) Even assuming *arguendo* that Miller discloses transmitting messages that include a graphical image, the combination still does not teach or suggest all of the features of claim 16. As noted above with respect to independent claim 15, the cited portion of Miller merely describes that a subscriber is subsequently notified by the network of a message and then delivers the message and any multimedia attachments of the message to the device 411 of the subscriber. (Col. 1, lines 48-62) Miller, at best, discloses that the multimedia attachments may consist of text, speech, fax, image, [and] video” data. (Col. 1, lines 34-36) More particularly, Miller describes that the multimedia attachments disclosed therein may be a plain text file 404, a common graphics file 405 (e.g., “Power-Point”) and sound file 406 in .wav format. (Col. 4, lines 29-35 of Miller)

As noted above, column 4, lines 26-35 of Miller describes that when a subscriber (e.g., Radhika) sends an e-mail with multimedia attachments to another subscriber (e.g., Thomas) the “attachments 404, 405 and 406 [are] in the upper panel” of an internet browser screen and are not within the text of the message “shown in the scrollable text window 403.” (See FIG. 4(b) of Miller). Similarly, as can be seen in FIGS. 4(h) and 4(i) of Miller, the text message received from a subscriber, such as Radhika, at device 411 is separate and distinct from the graphics file attachment 406 such as the Power-Point attachment. (Col. 5, lines 24-40) FIG. 4(i) clearly shows that the graphics file attachment 405 (i.e., “4:PowerPoint (64K)”) is not within the text message 404 shown in FIG 4(h) (i.e., “Hello Thomas, I am enclosing a copy of a recent luc”). Given that the text message is separate and distinct from the graphics file attachment Miller, either alone or in combination with Sugio and Mochizuki, fails to teach or suggest “the controller generates the *compound message ... including a text part* in a predefined message text character format, a graphical part including *a record for each* of the at least one *graphical icon part* in a *graphical format*,” as required by claim 16. Nowhere in Miller, either alone or in combination with Sugio and Mochizuki is there any teaching or suggestion pertaining to a compound message including a text part and a graphical part. Additionally, nowhere in Miller, either alone or in combination with Sugio and Mochizuki, is there any teaching or suggestion relating to any graphics file attachment, forming part of a compound message, which includes a record for each graphical icon part in a graphical format, as required by claim 16.

Additionally, as previously pointed out in the Amendment filed July 5, 2006, a graphical format, as would be understood by one skilled in the art, defines how graphic objects are created and stored. For example, many different graphical formats exist, but most formats are considered either a vector graphic format or a raster graphic format (See Appendix: *About File Formats*, Montana State University Publications and Graphics, August 2001, which was attached for the Examiner's convenience in the Amendment filed July 5, 2006). A vector graphic format defines graphic objects using coordinate geometry, while a raster graphic format defines graphic objects using pixels. (See *id.*) The Examiner's interpretation of a graphical format is neither consistent with the specifications of Sugio, Mochizuki and Miller, nor consistent with the understanding of one skilled in the art. Both because the messages disclosed by Sugio, Mochizuki and Miller (either alone or in combination) do not contain a graphical part and because neither Sugio, Mochizuki and Miller (either alone or in combination) teach or suggest a graphical format, the recitation of claim 16 that the graphical icon part includes a record for each of the at least one graphical icon part in a graphical format is not taught or suggested by the combination of Sugio, Mochizuki and Miller. Applicant notes that in contrast to the directive set forth in MPEP 707.07(f) the Examiner has not responded to the arguments set forth above and specifically at pages 14 and 15 of the Amendment filed July 5, 2006.

Based on at least the foregoing, Applicant submits that the combination of Sugio, Mochizuki and Miller are deficient and does not teach or suggest all of the features of claim 16. Applicant therefore respectfully requests the Examiner to reconsider and withdraw the § 103(a) rejection of independent claim 16 and its dependent claims 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, and 41.

Since claims 25 and 30 contain features that are analogous to, though not necessarily coextensive with claim 16, Applicant respectfully requests the Examiner to reconsider and withdraw the § 103(a) rejection of claims 25 and 30 and their respective dependent claims 42 and 31, 32, 33, 34, 35, 36, 37, 38 and 44 for reasons analogous to those submitted for independent claim 16.

III. Rejection of Claims 17, 18, 26, 27, 28, 31 and 32 Under 35 U.S.C. § 103(a)

Claims 17, 18, 26, 27, 28, 31 and 32 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over Sugio in view of Mochizuki further in view of further in view of Miller (U.S. Patent 6,421,707; hereinafter "Miller") further in view of Medina (U.S. Patent No. 6,047,828; hereinafter "Medina"). Applicant respectfully disagrees for at least the following reasons.

As discussed above, Sugio, Mochizuki and Miller are deficient vis-à-vis independent claims 16 and 30. Medina does not make up for the deficiencies of Sugio, Mochizuki and Miller. Accordingly, claims 17, 18, 26, 27, 28, 31 and 32 are patentable at least by virtue of their respective dependencies from independent claims 16 and 30. Applicant therefore respectfully requests the Examiner to reconsider and withdraw the § 103(a) rejection of dependent claims 17, 18, 26, 27, 28, 31 and 32.

IV. New Claims

Applicant has herein added new claims 46-57 to more fully cover various aspects of Applicant's invention as disclosed in the specification. In addition to their respective dependencies from claims 15, 16, 25, 29, 30 and 39, Applicant submits that claims 46-57 should be allowable because the cited references either alone or in combination does not teach or suggest the recitations of these claims.

V. Conclusion

In view of the foregoing remarks, Applicant respectfully submits that all of the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. Examiner Ke is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required

Appl. No.: 09/936,557
Filed: September 14, 2001
Amdt. Dated March 21, 2007

therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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LEGAL02/30113714v2